

## Message Text

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11  
ACTION EUR-12

INFO OCT-01 ISO-00 SAM-01 ACDA-07 ERDA-05 CIAE-00 PM-04

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 SAJ-01 /073 W  
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P R 261700Z JUL 76  
FM AMEMBASSY MADRID  
TO SECSTATE WASHDC PRIORITY 6509  
INFO SECDEF  
JCS  
USMISSION NATO  
USCINCEUR  
CINCUSNAVEUR  
CINCUSAFE  
16TH AF, TORREJON/CV  
AMEMBASSY BONN  
AMEMBASSY LISBON  
AMEMBASSY LONDON  
AMEMBASSY PARIS  
AMEMBASSY ROME  
COMNAVACTS ROTA

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E.O. 11652: N/A  
TAGS: PFOR, MARR, SP, US  
SUBJECT: TREATY OF FRIENDSHIP AND COOPERATION--CORTES DEBATE

REF: MADRID 5684 (DTG 241202Z JUL 76) (NOTAL)

SUMMARY: IN A LENGTHY EVENING SESSION JULY 23, THE FOREIGN  
AFFAIRS COMMITTEE OF THE CORTES (PARLIAMENT) HEARD TESTIMONY  
FROM FOREIGN MINISTER OREJA ON THE TREATY AND GAVE ITS ADVICE  
AND CONSENT TO RATIFICATION UNANIMOUSLY, ALBEIT WITH A RESOLUTION  
POINTEDLY STATING THAT THE SENATE RESOLUTION OF ADVICE AND  
CONSENT IN NO WAY MODIFIES THE TREATY. THIS WAS THE LAST  
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SUBSTANTIVE HURDLE BEFORE SPANISH RATIFICATION AND WE EXPECT

THAT IT WILL BE POSSIBLE TO EXCHANGE THE INSTRUMENTS OF RATIFICATION IN SAN SEBASTIAN TOWARD THE LATTER PART OF AUGUST.  
END SUMMARY.

1. FOREIGN MINISTER OREJA OPENED THE SESSION WITH A PREPARED STATEMENT WHICH UNDERLINED THAT:  
-- THE TREATY IS A SHARP DEPARTURE FROM ITS PREDECESSOR AGREEMENTS AND IS ESTABLISHED ON THE BASIS OF FULL EQUALITY;  
-- IT CONTAINS NO SECRET PROVISIONS;  
-- THE DEFENSE RELATIONSHIP FALLS SHORT OF A MILITARY ALLIANCE;  
-- THE "DENUCLEARIZATION" OF SPAIN WILL LEAVE SPAIN NO LONGER A PRINCIPAL MILITARY OBJECTIVE OF THE WARSAW PACT AND WILL THUS INCREASE SPAIN'S DIPLOMATIC FLEXIBILITY;  
-- THE SHARP REDUCTION AND RELOCATION OF KC-135 AERIAL TANKERS ALSO PROVIDES GREATER SAFETY TO SPAIN;  
-- THE TREATY IS IN THE NATIONAL INTEREST OF A SPAIN WHICH SHOULD PLAY ITS FULL ROLE IN THE WORLD COMMUNITY.

2. OREJA ARGUED ALSO THAT THE TREATY WOULD CONTRIBUTE TO THE PEACE AND SECURITY OF THE WESTERN MEDITERRANEAN AREA (IN THIS CONTEX REITERATING THE OBJECTIVE OF REINTEGRATION INTO SPAIN OF GIBRALTAR) AND THAT IT WOULD NOT OBLIGATE SPAIN TO TAKE ANY PART IN CONFLICTS IN THE MEDITERRANEAN WHICH DO NOT AFFECT HER OWN NATIONAL SECURITY. HE POINTED OUT THAT THE TREATY WAS DESIGNED TO BE DIRECTLY SUPPORTIVE OF CLOSER SPANISH INTEGRATION INTO EUROPE, INCLUDING THE EC, AND OF "COORDINATION" WITH NATO. HE SAID THAT THE SPANISH TIE VIA THE U.S. TO ATLANTIC DEFENSE IS IN SPAIN'S INTEREST, SECURITY BEING ESSENTIAL TO DETENTE, AND THAT THIS WOULD NOT BE AN OBSTACLE TO SPAIN'S DESIRED ROLE IN THE LARGER MULTILATERAL (INCLUDING NORTH/SOUTH) DIALOGUE. WHILE UNDERLINING THAT FOREIGN POLICY MUST REFLECT DOMESTIC POLICY, OREJA NEVERTHELESS DIRECTLY STATED THAT THE SENATE RESOLUTION OF JUNE 21 (PARTICULARLY ITS PARAS 1 & 5) IN NO WAY CONDITION THE CONTENT OF THE TREATY. LEST THE SENATE RESOLUTION BE INTERPRETED AS AN ATTEMPT TO OVERSEE INTERNAL SPANISH POLITICS, HE WISHED TO MAKE IT KNOWN THAT THE GOS NEED HEED ONLY THE SPANISH PEOPLE IN THIS RESPECT. THE REPRESENTIVITY OF SPANISH INSTITUTIONS WAS NOT TO BE SUBMITTED TO THE JUDGMENT OF ANY NATION, HOWEVER FRIENDLY. MOREOVER, A U.S. FAILURE TO PROVIDE FUNDS AGREED IN THE TREATY WOULD BE A TREATY VIOLATION.

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3. OREJA DID NOT STAY FOR THE DEBATE BUT LEFT BEHIND AMBASSADOR ROVIRA AND OTHER MEMBERS OF THE ORIGINAL NEGOTIATING TEAM. ONLY A FEW OF THE EARLIER UNPUBLISHED WRITTEN COMMENTS ON THE TREATY OFFERED BY MEMBERS OF THE CORTES WERE APPARENTLY RAISED AT THIS SESSION. REPRESENTATIVES OF CEUTA AND MELILLA ARGUED FOR THEIR SPECIFIC MENTION, ALONG WITH OTHER OUTLYING SPANISH TERRITORY, IN THE AREA OF "COMMON INTEREST." ROVIRA TESTIFIED THAT HE HAD

BEEN ASSURED BY THE STATE DEPT THAT ALL SPANISH TERRITORY WAS INCLUDED THROUGH THE MENTION OF THE WORD "SPAIN." FOR THE MOST PART, THE DEBATE CENTERED ON THE SENATE RESOLUTION OF ADVICE AND CONSENT. THE RATHER SPARSELY ATTENDED SESSION (A BARE QUORUM OF 29 AT THE OUTSET AND SUBSTANTIALLY LESS BY VOTING TIME) WAS DOMINATED BY CONSERVATIVE CRITICS OF THE TREATY. WITH TWO OF THE MORE LIBERAL MEMBERS VOCALLY OPPOSED AND TWO ABSTENTIONS, A CONSERVATIVE MOTION INTENDED AS A RESPONSE TO THE SENATE RESOLUTION OF JUNE 21 WAS PASSED, AS FOLLOWS:

BEGIN TEXT: WITH RESPECT TO THE TREATY OF FRIENDSHIP AND COOPERATION WITH THE UNITED STATES OF AMERICA, THE COMMITTEE ON FOREIGN AFFAIRS CONSIDERS THAT ONLY THE TEXT SIGNED JANUARY 24, 1976, WHICH IS THE ONE WHICH HAS BEEN SUBMITTED TO THE CORTES AND RATIFIED BY THE COMMITTEE, IS BINDING ON THE SPANISH GOVT; THAT THE SUBSEQUENT UNILATERAL DECLARATION OF THE UNITED STATES SENATE OF JUNE 22 (SIC), 1976, IN NO WAY MODIFIES IT SINCE ANY CONDITION WHICH MAY PRESUPPOSE INTERFERENCE IN OR OVERSIGHT OVER INTERNAL AFFAIRS WHICH ARE THE EXCLUSIVE COMPETENCE OF THE SPANISH PEOPLE WOULD BE CONTRARY TO INTERNATIONAL LAW. SPANISH UNDERTAKINGS REFERRED TO IN THE TREATY WILL NOT BE AFFECTED BY ANY FACTOR OUTSIDE THE TERMS OF THAT WHICH WAS AGREED. END TEXT.

4. THIS TEXT IS IN FACT A MODIFICATION OF WHAT WAS ORIGINALLY PROPOSED BY TWO RIGHT-WING DEPUTIES, WHOSE DRAFT CONTAINED AN UPLEASKT REFERENCE TO US IMPERIALISM.

5. ALL IN ALL, THE SESSION APPARENTLY WAS CHARACTERIZED BY A SOMEWHAT CHILLY ATTITUDE OF THOSE PARLIAMENTARIANS WHO ATTENDED. IT IS MORE DIFFICULT TO ASSESS PRECISELY THE SIGNIFICANCE OF THE NONATTENDANCE OF ALMOST HALF OF THE COMMITTEE, BUT WE ASSUME THIS IS LARGELY ATTRIBUTABLE TO THE FACT THAT THE RESULT OF THE COMMITTEE'S DELIBERATIONS WAS A LIMITED OFFICIAL USE

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RATHER FOREGON CONCLUSION. ONE OF MADRID'S LEADING DAILY NEWSPAPERS (THE MONARCHIST ABC) COMMENTED THE NEXT DAY THAT FOREIGN MINISTER OREJA AND HIS ASSOCIATES HAD RELIEVED "FOR THE MOMENT" CONCERNS ABOUT THE SIGNIFICANCE OF THE SENATE RESOLUTION AND OF THE PUBLIC COMMENTS SINCE IT WAS PASSED BY SENATORS KENNEDY AND JAVITS.

6. FOREIGN MINISTER OREJA COMMENTED TO AMBASSADOR JULY 26 THAT HE HAD BEEN GENERALLY SATISFIED BY DEBATES IN FOREIGN AFFAIRS COMMITTEES OF BOTH NATIONAL COUNCIL AND THE CORTES SINCE IT WAS CLEAR MEMBERS WERE MORE CONCERNED WITH SENATE RESOLUTION THAN BY TERMS OF TREATY ITSELF WHICH THEY FOUND SATISFACTORY.

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